



COUNTY OF MONROE  
**COMIDA**  
INDUSTRIAL DEVELOPMENT AGENCY

**BOARD MEETING MINUTES**

**August 17, 2021**

**DRAFT**

Time & Place: 12:00 p.m., 50 West Main Street, Rochester NY, 14614

Board Present: J. Alloco, A. Burr, T. Milne, R. King, A. Meleo, J. Popli

Board Absent: L. Bolzner

Also Present: A. Clark, R. Finnerty, A. Liss, R. Baranello, Esq., G. Genovese, B. Lafountain, K. Loewke, L. Birr

Chair Burr called the meeting to order at 12:00 p.m.

On motion by J. Alloco, second by J. Popli, all aye, minutes of the July 20, 2021 meeting were approved.

K. Loewke presented the local labor monitoring report for July 2021.

B. Lafountain presented a local labor update for July 2021, specifically regarding the USRE Manitou Project.

G. Genovese presented the financial report for July 2021.

Public comments were made by Grant Malone. Mr. Malone expressed concern over compliance with COMIDA's Local Labor Policy. Mr. Malone wished to introduce himself, who he represents and his willingness to assist with local labor compliance on COMIDA projects.

Executive Director Liss presented the following projects for consideration:

**Home Leasing, LLC**

Home Leasing, LLC, a developer, is proposing to acquire and redevelop an existing commercial building into a mixed-use, mixed-income community in the City of Rochester. The project will consist of 134 affordable apartments for low income older adults and will provide 77,000 sq. ft. of manufacturing space for Hickey Freeman. The studio and one-bedroom apartments will be for households at less than 40% and up to 70% AMI. Home Leasing LLC plans to create 5 new FTE's. The \$53 million project is seeking a custom Shelter Rent real property tax abatement, mortgage recording tax and sales tax exemptions. The project is subject to receiving NYS approvals for investment. The cost benefit ratio is 4:1.

The applicant was represented by Brett Garwood. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance, and does not anticipate any local labor exemptions at this time.

Ms. Baranello stated there were no comments at the public hearing.

The board considered the following resolution:: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON AUGUST 17, 2021, WITH RESPECT TO A CERTAIN BEING UNDERTAKEN BY HOME LEASING, LLC (THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by R. King, second by J. Alloco for inducement and final resolution approving a real property tax abatement, mortgage recording tax and sales tax exemption, a roll call vote resulted as follows and the motion carried:

J. Popli	Yea	J. Alloco	Yea
A. Meleo	Yea	R. King	Yea
L. Bolzner	Absent	A. Burr	Yea
T. Milne	Yea		

**DeMarte Companies Inc.**

DeMarte Companies Inc. is constructing a new 45,000 sq foot building in the Town of Ogden for its tenant Maris Systems Design, a related entity. Maris Systems designs and builds cutting edge manufacturing equipment and robotics for the automotive, medical, energy and consumer markets. This new facility will allow Maris Systems to grow and partner with new companies. Maris Systems plans to create 7 new FTE's in addition to its existing workforce of 61 FTE's. Maris will apply for benefits at a later date when equipment costs are finalized. The \$5.6 million project is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The cost benefit ratio is 15:1.

The applicant was represented by Eric Demarte and Amber Billings. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance, and does not anticipate any local labor exemptions at this time.

Ms. Baranello stated there were no comments at the public hearing.

The board considered the following resolution; RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING

HELD BY THE AGENCY ON AUGUST 12, 2021, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY DEMARTE COMPANIES INC. (THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN- LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by J. Alloco, second by J. Popli for inducement and final resolution approving a real property tax abatement, mortgage recording tax and sales tax exemption, a roll call vote resulted as follows and the motion carried:

J. Popli	Yea	J. Alloco	Yea
A. Meleo	Yea	R. King	Yea
L. Bolzner	Absent	A. Burr	Yea
T. Milne	Yea		

#### **Facility 4, Inc. - Increase**

Facility 4, Inc., a real estate holding company, is constructing a new 40,000 sq foot structural steel fabrication facility in the City of Rochester for its tenant Ramar Steel Sales, Inc., a related entity. This new facility will allow for a more streamlined approach to process and better serve its customers. Facility 4 was originally approved by the board in January 2021 for mortgage recording tax exemption, sales tax exemption and a property tax abatement. The applicant is requesting an increase in project costs of \$1,209,050 to purchase a CNC drilling & sawing line that was not included in the original application. The total project cost is now \$5,259,050 and the new sales tax exemption

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO FACILITY 4, INC. (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTION ADOPTED ON JANUARY 19, 2021; AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by J Popli to approve the resolution, second by J. Alloco, all aye, the motion carried.

#### **Howitt-Paul Road, LLC - Increase**

Howitt-Paul Road, LLC, is proposing to complete its senior housing community in the Town of Chili. Phase III of the project consists of 3 buildings containing 92 residential units, tenant

common areas, commercial spaces, and storage units. Phase 1 was approved for the JobsPlus property tax abatement in June 2011. Phase III was approved in November 2020 for a mortgage recording tax exemption and sales tax exemption. The applicant is requesting an increase in project costs of \$4,254,845 as the original costs were underestimated in addition to cost increases due to the pandemic. The total project cost is now \$22,065,865 and the new sales tax exemption benefit amount increases from \$471,127 to \$807,970.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO HOWITT-PAUL ROAD, LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTION ADOPTED ON NOVEMBER 17, 2020 AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by J. Popli to approve the resolution, second by R. King, all aye, the motion carried.

#### **DEL 3750 Monroe Avenue Associates LLC - Increase**

DEL 3750 Monroe Avenue Associates, LLC, a real estate holding company, is renovating an existing portion of a building in the Town of Pittsford for a new tenant, Integron, LLC (KORE Wireless). KORE Wireless is moving from their current facility in the Town of Gates to this new, larger location to accommodate growth. In June 2021, the applicant received a sales tax exemption on construction materials. The allocation between labor and materials was incorrect on the original budget. In addition, materials have increased and the scope of work has also slightly increased. As a result the total project costs have increased by \$35,000 and the applicant is requesting an increase in sales tax exemptions from \$14,080 to \$40,000.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO DEL 3750 MONROE AVENUE ASSOCIATES, LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTION ADOPTED ON JUNE 15, 2021; AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by T. Milne to approve the resolution, second by R. King, all aye, the motion carried.

#### **ProAmpac Rochester, LLC - Extension**

ProAmpac Rochester, LLC is a global manufacturer of flexible packaging solutions. The company is constructing a 24,000 square foot Collaboration & Innovation Center (CIC) at its manufacturing facility in the Town of Ogden. The \$5.9 project was originally approved in March 2020. The project was approved for a JobsPlus property tax abatement and sales tax exemption. The applicant is seeking an extension of the sales tax exemption through December 31, 2021 because of construction and purchasing delays.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE EXTENSION OF THE SALES TAX EXEMPTION BENEFITS (AS HEREINAFTER DEFINED) GRANTED TO PROAMPAC ROCHESTER LLC (THE "COMPANY") THROUGH DECEMBER 31, 2021; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by J. Alloco to approve the resolution, second by J. Popli, all aye, the motion carried.

**Rochester Riverfront Properties LP/Hamister Real Estate Equity Fund – Assignment/Assumption**

Hamister Real Estate Equity Fund has entered into an agreement to purchase the building located at 1000 Genesee Street in the City of Rochester. The current tenant is Staybridge Suites, which will remain. The applicant is requesting approval to assume the real property tax abatement.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE ASSIGNMENT BY ROCHESTER RIVERFRONT PROPERTIES, L.P. OF CERTAIN FINANCIAL ASSISTANCE IN CONNECTION WITH A CERTAIN PROJECT LOCATED AT 1000 GENESEE STREET IN THE CITY OF ROCHESTER, NEW YORK, TO HAMISTER REAL ESTATE EQUITY FUND, OR A RELATED ENTITY FORMED OR TO BE FORMED, AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by J. Alloco to approve the resolution, second by J. Popli, all aye, the motion carried.

**The Marketplace – PILOT Modification**

In furtherance of efforts to transform the Marketplace Mall, the Marketplace has requested that the Agency amend the PILOT Agreement payment schedule with respect to 2022 Town of Henrietta and Monroe County tax year and the 2021-2022 Rush-Henrietta Central School District tax year for the Main Mall Parcel and the Macy's Parcel PILOT payments only. The Town and School District have each granted their respective support for the Agency and the Marketplace to amend and modify the terms of the PILOT Agreement as it relates to the Main Mall Parcel and the Macy's Parcel.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE MODIFICATION OF THE EXISTING PAYMENT-IN-LIEU-OF-TAX AGREEMENT, DATED AS OF FEBRUARY 1, 2014, BY AND BETWEEN THE AGENCY AND THE MARKETPLACE WITH RESPECT TO THE PAYMENT SCHEDULE THEREUNDER FOR THE MAIN MALL PARCEL AND THE MACY'S PARCEL AND THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.

On motion by T. Milne to approve the resolution, second by J. Alloco, all aye, the motion carried.

J. Popli gave the Governance Committee Report. The committee met on Tuesday, August 17, 2021 to discuss the response to the RFP for the administration of the mPower Program.

The Governance Committee recommended that the full board authorize a contract with Monroe Community College (MCC) for administration of the Mpower program. Kristin Sine-Kinz was in attendance representing MCC.

Chari Burr called for a motion to approve a contract with Monroe Community College, through its Economic Development and Workforce Development Center, to administer the Mpower program for 3 years for \$1,500,000.

Motion was made by J. Popli, with a second by J. Alloco. All aye, the motion carried.

Executive Director Liss presented the Rochester Fringe Festival program request. Erica Fee presented. A. Burr called for a motion to approve a contract with the 2021 Fringe Festival for \$30,000 to be used for workforce development training.

Motion was made by R. King, with a second by J. Popli. All aye, the motion carried.

Executive Director Liss presented the Rochester Summer Soul Music Festival funding request. Varick Baiyna presented. A. Burr called for a motion to approve a contract with the Rochester Summer Soul Music Festival for \$7,500 to be used for a job fair.

Motion was made by J. Popli, with a second by A. Mileo T. Milne, nay, all other aye, the motion carried.

Executive Director Liss presented the request for fund PTAC for the program year. Anna Vulaj-Fitzsimmons presented. A. Burr called for a motion to approve funding the PTAC program for the fiscal year September 1, 2021 – August 31, 2022 for \$91,260.

Motion was made by J. Popli, with a second by T. Meleo, all aye, the motion carried.

Chair Burr asked for a motion to enter into executive session under section 105(f) of the New York Public Officers Law. Motion made by J. Popli, with a second by J. Alloco. All aye, motion carried.

Chair Burr called for a motion to come out of executive session. Motion made by T. Milne, with a second by R. King. All aye, motion carried.

Chair Burr called for a motion to approve the addition of an administrative assistant position for 30 hours per week with an annual salary and cost of benefits not to exceed \$48,000. Motion made by J. Alloco, with a second by J. Popli. All aye, the motion carried.

Chair Burr called for a motion to approve Robin Finnerty as Deputy Director of COMIDA with the authority to manage and supervise the affairs and administrative functions of COMIDA and to sign

and execute on behalf of COMIDA all contracts, notes, bonds and other required documentation when so authorized by resolution of COMIDA.

A motion was made by J. Alloco, with a second by R. King, all aye, the motion carried.

There being no further business, on motion by J. Popli, second by J. Alloco, all aye, the regular meeting of the Board was adjourned at 1:33 p.m.

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Lisa Bolzner, Secretary